

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

March 23, 1998

DIVISION TWO

B108473 People (Certified for Publication)
v.
Sanchez, et al.

The judgments (orders granting probation) are affirmed.

Boren, P.J.

We concur: Fukuto, J.
Zebrowski, J.

DIVISION THREE

B117749 Fernando B. (Not for Publication)
v.
Superior Court, Los Angeles County
(L.A. County DCFS, r.p.i.)

The Court:

The petition is denied.

Klein, P.J., Croskey, J., Aldrich, J.

B105157 People (Not for Publication)
v.
Ramirez

The case is remanded to the trial court for resentencing on the firearm use enhancements in accordance with this opinion. In all other respects, the judgment is affirmed.

Klein, P.J.

We concur: Kitching, J.
 Aldrich, J.

DIVISION THREE (Continued)

B112590 Los Angeles County, D.C.S. (Not for Publication)
 v.
 Virginia R. and Guillermo L.

The judgment (order terminating parental rights) is affirmed.

Klein, P.J.

We concur: Croskey, J.
 Aldrich, J.

B100207 Beverly Blair (Not for Publication)
 v.
 Statewide Auto Dismantling

The December 14, 1995 order is reversed with directions to grant Statewide's motion under section 473. The entry of default and resulting default judgment are to be vacated, and Statewide may file its answer to Blair's complaint. In relieving Statewide from default, the trial court shall direct Kast to pay reasonable attorney fees and costs to opposing counsel or Blair pursuant to section 473. The February 8, 1996 order, denying Statewide's second motion for relief from default, is also vacated. Statewide to recover costs on appeal.

Klein, P.J.

I concur: Aldrich, J.

B113820 People (Not for Publication)
 v.
 Angel M.

The Court:

The judgment (order declaring minor a ward of the court) is affirmed.

Klein, P.J., Kitching, J., Aldrich, J.

March 23, 1998-Continued

DIVISION THREE (Continued)

B110590 People (Not for Publication)

V.

Jose Aguayo

The Court:

The judgment is affirmed.

Klein, P.J., Croskey, J., Aldrich, J.

B111753 People (Not for Publication)

V.

Mark Anthony Lewis

The Court:

The judgment is affirmed.

Klein, P.J., Croskey, J., Kitching, J.

B115517 Los Angeles County, D.C.S. (Not for Publication)

V.

Patricia P.

The Court:

The appeal is dismissed.

Klein, P.J., Kitching, J., Aldrich, J.

B113431 People (Not for Publication)

V.

Alejandra Moreno

The Court:

The judgment is affirmed.

Klein, P.J., Croskey, J., Aldrich, J.

March 23, 1998-Continued

DIVISION THREE (Continued)

B111580 People (Not for Publication)

V.

Albert Burkley

The Court:

The judgment is affirmed.

Klein, P.J., Croskey, J., Kitching, J.

B112779 People (Not for Publication)

V.

Douglas Peter Cloud

The Court:

The judgment is affirmed.

Klein, P.J., Croskey, J., Kitching, J.

B110303 People (Not for Publication)

V.

Francisco Macias

The Court:

The judgment is affirmed.

Klein, P.J., Croskey, J., Aldrich, J.

B107962 L.A. County Dept. of Children & Family Services (Not for Publication)

V.

Martha V. et al.

The judgment (order dismissing petition) is affirmed.

Klein, P.J.

We concur: Kitching, J.

Aldrich, J.

March 23, 1998-Continued

DIVISION THREE (Continued)

B099518 Henson (Not for Publication)

V.

Dept. of Transportation

The judgment is affirmed. Caltrans to recover costs on appeal.

Klein, P.J.

I concur: Croskey, J.

B104128 People (Not for Publication)

V.

Carrillo

The judgment is affirmed.

Klein, P.J.

I concur: Aldrich, J.

B107254 People (Not for Publication)

V.

Foster

The judgment is affirmed.

Klein, P.J.

I concur: Croskey, J.

DIVISION THREE (Continued)

B098671 People (Not for Publication)
v.
Pratt

We remand this case to the trial court with directions to strike the one-year section 667.5 prior prison term enhancement and to resentence Pratt accordingly. In all other respects, the judgment is affirmed.

Klein, P.J.

We concur: Kitching, J.
 Aldrich, J.

DIVISION FOUR

B110129 People (Not for Publication)
v.
Gutierrez

The Court:

The judgment is affirmed.

Epstein, Acting P.J., Hastings, J., Baron, J.

B109419 People (Not for Publication)
v.
Craig and Price

The Court:

The judgments are affirmed.

Vogel (C.S.), P.J., Epstein, J., Baron, J.

March 23, 1998-Continued

DIVISION FIVE

B116155 People (Not for Publication)
v.
Maurice Davis

The judgment is affirmed.

Grignon, Acting P.J.

We concur: Armstrong, J.
 Godoy Perez, J.

B108316 Los Angeles County, D.C.S. v. Mariana B. (Not for Publication)
B118183 Mariana B.
v.
Superior Court, Los Angeles County
(Children and Family Services, r.p.i.)

The six-month review and twelve-month review orders are affirmed. The petition for extraordinary writ is dismissed.

Grignon, Acting P.J.

We concur: Armstrong, J.
 Godoy Perez, J.

B109580 Smith & Daughter (Not for Publication)
v.
City of Long Beach

The judgment is affirmed. Respondents City of Long Beach and Spectacor Management to recover their costs on appeal.

Godoy Perez, J.

We concur: Turner, P.J.
Armstrong, J.

March 23, 1998-Continued

DIVISION FIVE (Continued)

B111024 People (Not for Publication)

V.

Raynard Holman

The judgment is affirmed.

Turner, P.J.

We concur: Armstrong, J.

Godoy Perez, J.

B111879 Los Angeles County, D.C.S. (Not for Publication)

V.

Hector L.

The judgment is affirmed.

Armstrong, J.

We concur: Turner, P.J.

Grignon, J.

DIVISION SIX

B110050 Iarikov (Not for Publication)

V.

Iarikova

The judgment is affirmed. Costs to respondent.

Yegan, J.

We concur: Gilbert, Acting P.J.

Coffee, J.

March 23, 1998-Continued

DIVISION SIX (Continued)

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The judgment is affirmed.

Stone, P.J.

We concur: Gilbert, J.
 Yegan, J.

B108090 Holden & Ghitterman (Not for Publication)
v.
Gelfand and Gelfand

The judgment is affirmed. Costs are awarded to cross-complainant and respondent.

Gilbert, J.

We concur: Stone, P.J.
Yegan, J.

B112356 Allen (Estate of Howard R. Burkett) (Not for Publication)
v.
Azzarello

The judgment is affirmed. Azzarello is awarded costs on appeal.

Yegan, J.

We concur: Stone, P.J.
Coffee, J.

DIVISION SIX (Continued)

B098709 Greve (Certified for Publication)

v.
Angeles Chemical Company

The judgment is reversed. Costs are awarded to appellants.

Gilbert, Acting P.J.

We concur: Yegan, J.
Coffee, J.

B103738 People (Certified for Publication)

v.
Gentry

The judgment is affirmed.

Stone, P.J.

I concur: Gilbert, J.
I dissent: Yegan, J. (Opinion)

B114307 People (Not for Publication)

v.
Burks

The judgment is affirmed.

Gilbert, J.

We concur: Stone, P.J.
Yegan, J.

March 23, 1998-Continued

DIVISION SEVEN

B115193 People (Not for Publication)
v.
Aguilar

The judgment is affirmed.

Neal, J.

We concur: Johnson, Acting P.J.
 Woods, J.

B099555 Miller (Not for Publication)
v.
Patitz

The judgment is affirmed. Respondents shall have costs on appeal.

Neal, J.

We concur: Lillie, P.J.
Woods, J.

B112575 People (Certified for Publication)
v.
Encinas

The guilty verdict is affirmed. The true findings concerning the section 667, subdivisions (b)-(1) and section 667, subdivision (a)(1) allegations are reversed. The matter is remanded to the trial court for further proceedings consistent with this opinion.

Woods, J.

We concur: Johnson, Acting P.J.
Neal, J.

DIVISION SEVEN (Continued)

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The judgment is reversed and the cause remanded to the trial court with instructions it amend its order permitting Ms. Cooper to move away to Australia with her children to incorporate Ms. Cooper's concession of continuing jurisdiction in the California courts and appropriate sanctions to enforce that concession including at least those described in this opinion. If Ms. Cooper withdraws her offer to concede jurisdiction, the amended judgment shall require Ms. Cooper to address any proposed modifications of that judgment to California courts and provide for appropriate sanctions for a failure to do so or should the Australian courts fail to enforce the terms of the California judgment. In other respects, the terms of the judgment are affirmed. Both parties to pay their own costs on appeal.

Johnson, Acting P.J.

We concur: Woods, J.
Neal, J.